



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
AUGUST 14, 2001
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Pastor A. Eric Paul, Bethel Bible Evangelical Free Church, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

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Motion made by Representative Medina, seconded by Representative Sariñana, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).

Representative Sariñana was not present for the Consent Agenda vote.

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*Motion made, seconded and unanimously carried to approve the Minutes for Special City Council Meeting of July 2, 2001.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **DEE ANN BOYD** for Court Reporting services in the Municipal Court at the rate of \$60.00 for first 1½ hours plus \$30.00 per hour for court reporting time which exceeds 1½ hours. The term of the contract shall be for the period of September 1, 2001 through August 31, 2002. This contract is subject to the approval of the City's Civil Service Commission.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **JANIE D. RUIZ** for Court Reporting services in the Municipal Court at the rate of \$60.00 for first 1½ hours plus \$30.00 per hour for court reporting time which exceeds 1½ hours. The term of the contract shall

be for the period of September 1, 2001 through August 31, 2002. This contract is subject to the approval of the City's Civil Service Commission.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **MARGARITO "MAX" VENZOR** for Court Reporting services in the Municipal Court at the rate of \$60.00 for first 1½ hours plus \$30.00 per hour for court reporting time which exceeds 1½ hours. The term of the contract shall be for the period of September 1, 2001 through August 31, 2002. This contract is subject to the approval of the City's Civil Service Commission.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute and file a grant application with the State of Texas, which grant appropriation is being administered by the Corporation for National Service, for the Retired and Senior Volunteer Program, on behalf of the City of El Paso, in the amount of \$27,972 for the period of September 1, 2001 to August 31, 2002; and

That Deborah G. Hamlyn, Director, Community and Human Development, be authorized to furnish such additional information as the Corporation for National Service may require in connection with the grant application for this program; and

That the Mayor be authorized to execute, on behalf of the City of El Paso, any Grant Agreement for the above amount, or for a greater or lesser amount, and any amendments to the initial Grant Agreement which increases, decreases, or de-obligates Program funds, provided that no additional City funds are required, for aid in financing this program.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of FOURTEEN THOUSAND NINE HUNDRED TWENTY AND NO/100THS DOLLARS (\$14,920.00 - grant) against the following described real property:

Lot 12, Block 14, SARAH ANNE PARK UNIT 2, an Addition to the City of El Paso, El Paso County, Texas, according to the Plat thereof on file in Volume 41, Pages 4, 4A and 4B, Plat Records in the Office of the County Clerk of El Paso County, Texas; also known and numbered as 5668 Longview Circle, El Paso, Texas 79924.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of FOUR THOUSAND ONE HUNDRED FIFTY AND NO/100THS DOLLARS (\$4,150.00 - \$3,550 loan/\$600 grant) against the following described real property:

Lot 25, Block 2, SCOTSDALE, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 16, Page 40, Plat Records of El Paso County, Texas; also known and numbered as 3413 Dornoch, El Paso, Texas 79925.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of SEVEN THOUSAND AND NO/100THS DOLLARS (\$7,000.00 - \$6,275 loan/\$725 grant) against the following described real property:

Lot 20, Block 4, PLEASANT VALLEY, an Addition to the City of El Paso, El Paso County, Texas, according to the Plat thereof on file in Volume 35, Page 14, Plat Records in the Office of the County Clerk of said County; also known and numbered as 8252 Rancho Verde Way, El Paso, Texas 79907.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of EIGHT THOUSAND NINE HUNDRED FIFTY AND NO/100THS DOLLARS (\$8,950.00 - \$8,630 loan/\$320 grant) against the following described real property:

Lot 3, Block A, SILVAS SUBDIVISION, an Addition in the City of El Paso, El Paso County, Texas, according to the plat thereof recorded in Volume 8, Page 51, Plat Records of El Paso County, Texas; also known and numbered as 159 Silvas Way, El Paso, Texas 79907.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan in the amount of FIVE AND 76/100THS DOLLARS (\$5.76).

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of EIGHT THOUSAND EIGHT HUNDRED FIFTY AND NO/100THS DOLLARS (\$8,850.00 - \$8,350 loan/\$500 grant) against the following described real property:

Lot 368, Block 17, CREST HILL TERRACE ADDITION, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 8, Page 34, Plat Records of El Paso County, Texas; also known and numbered as 6341 Aztec Road, El Paso, Texas 79925.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of TWO THOUSAND EIGHT HUNDRED FIVE AND 78/100THS DOLLARS (\$2,805.78).

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of SEVEN THOUSAND FOUR HUNDRED TWENTY AND NO/100THS DOLLARS (\$7,420.00 - \$6,790 loan/\$630 grant) against the following described real property:

Lot 11, Block 7, CAPISTRANO PARK UNIT ONE, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 36, Page 4, Plat Records of El Paso County, Texas; also known and numbered as 269 Romeria Drive, El Paso, Texas 79907.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of TWENTY-FOUR THOUSAND SIX HUNDRED THIRTY-SIX AND NO/100THS DOLLARS (\$24,636.00 - \$10,353 loan/\$14,283 grant) against the following described real property:

Lot 5, Block 7, CLARDY-FOX SUBDIVISION, an Addition to the City of El Paso, El Paso County, Texas, according to the map and plat thereof on file in Volume 7, Page 36, Plat Records of El Paso County, Texas; also known and numbered as 332 Alicia, El Paso, Texas 79905.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of FIVE THOUSAND THREE HUNDRED FIFTY AND NO/100THS DOLLARS (\$5,350.00 - \$3,925 loan/\$1,425 grant) against the following described real property:

Lot 2, Block 14, CAPISTRANO PARK UNIT TWO, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 36, Page 13, Plat Records of El Paso County, Texas; also known and numbered as 252 Maravilla, El Paso, Texas 79907.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of SIX AND 19/100THS DOLLARS (\$6.19).

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City, be authorized to sign a Builder's & Mechanic's Lien Contract and Deed of Trust (With Power of Sale) between the City, El Paso Community Action Program Project Bravo, Inc. aka Project Bravo, Inc., and GMCO Construction, Inc. in the amount of \$432,600, related to the construction of a four-duplex project at 2001 Bay Court, approved by the City Council on January 25, 2000.

***RESOLUTION**

That the Mayor be authorized to sign the Master Interlocal Cooperative Traffic Control Agreement between the State of Texas, Department of Transportation, and various local governments to include the City of El Paso, the City of Arlington, the City of Azle and the City of Fort Worth and such other cities who may subsequently join the Agreement, for the provision of occasional traffic control assistance for the State in connection with construction or maintenance on and near state highways occurring in various locations within the City limits; that the Chief of Police or his designee be authorized to approve and sign the individual Work Authorization forms for the provision of specific services as requested by the Chief, in the form as attached to the Master Agreement; and that the City Attorney's Office be authorized to negotiate any additions or revisions for each individual Work Authorization form. The State will reimburse the City for its personnel and normal vehicle operation costs in providing the traffic control assistance.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to accept a grant and sign all related documents on behalf of the City and the Municipal Court for second year funding for a Juvenile Compliance Project Grant in the amount of \$40,000.00 from the Office of the Governor, Criminal Justice Division, for the purpose of continuing a Municipal Court program to monitor juvenile offenders and community service sentences; and that the Mayor be authorized to execute on behalf of the City of El Paso, any grant amendments to the initial Grant Agreement which increase, decrease or deobligate program funds provided that no additional City funds are required, or which decrease the amount of matching or in-kind funds, and any documents to request and accept an extension of the award ending date for the grant. The City agrees that in the event of loss or

misuse of grant funds, the funds will be returned to the Office of the Governor. Matching funds required in the amount of \$10,000.00.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Lease Agreement by and between the CITY OF EL PASO ("Lessee") and CHARLES LYON ("Lessor"), for the purpose of leasing fifty-two (52) parking spaces located at 216 S. Ochoa Street, El Paso, Texas, commencing on September 1, 2001 and ending on August 31, 2004, between the hours of 5:00 a.m. through 6:00 p.m.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a support letter on behalf of The FEMAP Foundation for a grant application for funding the expansion of Hospital de la Familia and the establishment of a Promotora community health outreach program.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the CITY OF EL PASO and GISEL ALVARADO for the Department of Planning, Research and Development. Employee shall be paid at the rate of \$7.47 per hour, not to exceed 40 hours per week. The term of the contract is from September 2, 2001 through July 2, 2002. This contract is subject to the approval of the City's Civil Service Commission.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the CITY OF EL PASO and OCTAVIO PRIETO, as an Undergraduate Intern for the Department of Solid Waste Management at the rate of \$7.25 per hour, not to exceed 40 hours per week. The contract period will be from August 1, 2001 through July 31, 2002.

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RESOLUTION

You are hereby notified that at 9:00 a.m. on the 11th day of September, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 2506 San Jose Avenue in El Paso, Texas, which property is more particularly described as:

Lots: 28 and 29, Block 38, Highland Park Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 1, Page 54, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Herminio and Rose Marie B. Arteaga, 821 Meadows, Canutillo, Texas 79835, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or all of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property; and
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owners' lawful homestead; and
- III) the Owners may be confined in jail as permitted by state law; and
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

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*Motion made, seconded and unanimously carried to approve request to fill position on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Library Information Supervisor (1)

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*Motion made, seconded and unanimously carried to approve request for provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Labor Foreman II (1)
- B. Police Records Spec I (2)
- C. Secretary II (1)

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*Motion made, seconded and unanimously carried to appoint Ali Boureslan to the Fair Housing Task Force requested by Representative Power.
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*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street light(s) at the following location:

- A. Between 10916 & 10914 Highwood Way to be paid out of District 5 discretionary funds (\$1,748.15, account 153007, usercode D50426, residents have paid their share.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESIDENTIAL STREET LIGHT(S): Approve installation, power, and maintenance of residential street light(s) at the following location(s):

- A. Ethel Road at Ruby Dr. - Cost \$464.00.
- B. Montoya Lane at Johannsen Rd. - Cost \$464.00.
- C. Ethel Rd. at Annie (alley) - Cost \$464.00.

Representative Sumrall explained that she brought this to the Regular Agenda due to an article in the newspaper regarding colonias, annexations and the City's lack of providing lighting. She stated that the street lights have been installed and asked that in the future when the question of annexation is brought up, please consider the installation of street lights. She offered to take the Mayor and other Council Members to view this area of the City.

Mayor Raymond Caballero agreed with Representative Sumrall's comments. He asked that a list be drawn up regarding items to be addressed regarding annexation(s).

Motion made by Representative Sumrall, seconded by Representative Medina and unanimously carried to approve installation, power, and maintenance of residential street light(s) at the following location(s)

- A. Ethel Road at Ruby Dr. - Cost \$464.00.
- B. Montoya Lane at Johannsen Rd. - Cost \$464.00.
- C. Ethel Rd. at Annie (alley) - Cost \$464.00.:.....

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

Request installation of guard rail at 320 Cortez. Estimated cost is \$895.29.

Representative Medina questioned the funding source for the item.
Mr. Daryl Cole, Deputy Director for Streets, explained that the funding would be coming from the General Budget of the Street Department.

Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to approve installation of guard rail at 320 Cortez. Estimated cost is \$895.29.

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*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #S537-000-0040-0100, \$244.64 per month installments on a balance of \$2,935.68 for 2000 taxes; Lorenzo & Maria Soto - 661 Casablanca.
- B. PID #X215-999-0000-7505, \$1,806.98 per month installments on a balance of \$10,841.88 for 1999 & 2000 taxes; Dwayne M. Aboud and Nancy O. Laster - 5407 Mesa.
- C. PID #C340-999-0230-9942, \$344.36 per month installments on a balance of \$4,132.32 for 2000 taxes; Hilda Espino - 6428 Tarascas.

*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Dos Naciones, Inc. DBA in the amount of \$747.42, overpayment of 2000 taxes.
(PID #0828-999-7364-0034)
- B. Piping Rock Partners, L P. in the amount of \$3,422.77, overpayment of 2000 taxes.
(PID #A462-999-0460-4100)
- C. Marcelo F. Gomez in the amount of \$7,970.27, overpayment of 2000 taxes.
(PID #A491-999-0030-0300)
- D. Transamerica Real Estate Tax Service in the amount of \$2,157.97, overpayment of 2000 taxes.
(PID #C733-999-0030-0500)
- E. Michael A. Charter in the amount of \$1,841.29, overpayment of 1998 taxes.
(PID #C340-999-0350-0100)
- F. CE El Paso Investment Trust % The Staubach Co. in the amount of \$1,934.84, overpayment of 2000 taxes. (PID #C815-999-0010-0125)
- G. Transamerica Real Estate Tax Service in the amount of \$848.66, overpayment of 1998 taxes.
(PID #E014-999-0080-4100)
- H. Nick Khoury in the amount of \$2,425.60, overpayment of 2000 taxes.
(PID #E131-999-0020-7100)
- I. Lawyers Title of El Paso in the amount of \$4,483.79, overpayment of 2000 taxes.
(PID #H454-999-0010-0200)
- J. Stewart Title Co. in the amount of \$1,500.10, overpayment of 2000 taxes.
(PID #L025-000-0040-0160)
- K. Jasper Birdsong, Jr. in the amount of \$1,979.12, overpayment of 2000 taxes.
(PID #N463-999-0080-1100)
- L. Trransamerica Real Estate Tax Service in the amount of \$2,529.52, overpayment of 2000 taxes.
(PID #S380-999-0110-4500)
- M. Irwin Mortgage C/O Lereta Corp. in the amount of \$518.05, overpayment of 2000 taxes.
(PID #U819-000-018J-0400)
- N. Jo Garcia August in the amount of \$8,308.32, overpayment of 2000 taxes.
(PID #V893-999-1390-4501)
- O. Ventura Duarte in the amount of \$1,244.33, overpayment of 2000 taxes.
(PID #V927-999-0350-3300)

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Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2001-151 Police Duty Gear

Mr. Byron Johnson, Director of Purchasing, explained that the bid includes various items of the duty gear to include the belts, holsters, handcuff holder, etc. This is a requirement contract for a 24 month period for the Police Department.

Representative Cook questioned why only one El Paso firm participated in the bid.

Mr. Johnson stated Mr. Cook was correct and added that a limited number of dealerships represent the products.

Motion made by Representative Sumrall, seconded by Representative Rodriguez and unanimously carried to award Bid No. 2001-151 Police Duty Gear

Award To: C & G Wholesale
Dallas, Texas
Item: Group I, All, Group II, All, & Group III, All
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Amount: \$61,090.56 (Estimated annually)

Department: Police Department
Funds available: 010060-203120
Funding Source: General Fund
Total amount: \$61,090.56

The Police and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

After having reviewed the total bids from the three lowest bidders the above Vendor was the overall lowest responsive bidder. To insure all items are compatible and in uniformity the bid will be awarded to the Lowest Total Bid.

No options were offered by the Vendor.

This is a Requirements Type Contract with an initial term of Twenty Four (24) months.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-211 Airport Chiller Service and Maintenance

Awarded to: Harris Heating & Cooling
El Paso, Texas
Items: 1
Total award: \$18,949.92 (Estimated annually)

Department: Department of Aviation
Funds available: 620003-203121
Funding source: Inventory Purchases-Materials & Supplies
Total amount: \$18,949.92 (Estimated annually)

The Department of Aviation and the Purchasing Department recommend award as indicated. They are the low, responsive, and responsible bidder meeting specifications.

This is a twenty-four (24) month service-type Contract for Chiller Service and Maintenance at the El Paso International Airport. The Contract will officially begin at 12:01 midnight, September 1, 2001.

Vendor offers the City the option of extending the term of the contract for twelve (12) additional months or twenty-four (24) additional months at the same unit prices, if the option is exercised within one (1) year or two (2) years from the date of award of the contract.

Vendor offers a 2% discount if paid within 10 days. Estimated annual amount after discount, \$18,570.92 (estimated annual discount \$379.00).

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*Motion made, seconded and unanimously carried to award Bid No. 2001-221 Janitorial Services for the Richard Burges Library Branch

Awarded to: Immaculate Janitorial Service
El Paso, Texas
Items: 1
Total award: \$10,179.00 (Estimated annually)

Department: Public Works - Maintenance Division
Funds available: 010350-202206
Funding source: General Revenue
Total amount: \$ 10,179.00 (Estimated annually)

The Public Works - Maintenance Division and the Purchasing Departments recommend award as indicated. Immaculate Janitorial Service is the low, responsive, and responsible bidder meeting specifications.

This is a thirty-six (36) month service-type Contract for Janitorial Services for the Richard Burges Library Branch with no options to extend the Contract; but may be placed on a month to-month basis, if necessary, not to exceed six (6) months, pending the bidding and formal award of a new Contract.

The Contract will officially begin at 12:01 midnight, September 1, 2001. No fast payment discount is offered.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-262 Adult & Juvenile Materials (Books, Audio, Video, & DVD)

Award to: Baker & Taylor, Inc.
Charlotte, North Carolina
Items: All
Amount: \$650,000.00 (estimated annually)

Department: El Paso Public Library
Funds available: 130513-208039
Funding source: Bond Funds
Total Award: \$650,000.00 (estimated annually)

The El Paso Public Library and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

The Vendor offers the City the option to extend the term of the Contract at the same unit prices for one(1) additional year if the option is exercised within one(1) year from the date of award.

This is a Requirements Type Contract with an initial term of Thirty Six (36) months.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-273 PTO Parts & Service

Awarded to: U-Joints, Inc.
El Paso, Texas
Items: Group A, item #1- Group B, item # 1
Total award: \$15,000.00 (Estimated Annually)

Department: Equipment Maintenance
Funds available: 370510-203121
Funding source: Equipment Maintenance Internal Fund
Total amount award: \$15,000.00 (Estimated Annually)

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Recommend all bids for Group C, Service be rejected, it will be re-bid at later date.

The Vendor offers the City the option to extend the term of the contract ,at the same unit prices, for one (1) additional year if the option is exercised within one(1) year from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty Six (36) months.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-231 Air Cargo Ramp #4 and Extension of Taxiway "K"

Contractor:	J.D. Abrams, L.P El Paso, Texas
Department:	Airport
Funds available:	620021-AP0002-208027
Funding source:	FAA
Base Bid I:	\$8,150,564.00
Base Bid IA	\$ 39,760.00
Alternate #1	\$ 224,400.00
Alternate #2	\$ 255,000.00
Total Award:	\$8,669,724.00

RECOMMENDATION:

The Purchasing Department recommends the award of this contract to J. D. Abrams, L. P., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

1. Lump Sum Component

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

2. Unit Price Component

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

DESCRIPTION OR EXPLANATION:

Base Bid I:	\$8,150,564.00
Base Bid IA	\$39,760.00
Alternate #1	\$224,400.00
Alternate #2	\$255,000.00
Total Recommended Award:	\$8,669,724.00

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*Motion made, seconded and unanimously carried to award Bid No. 2001-250 F.A.A./Weather Bureau Site & Long Term Expansion Parking Lot Improvements

Contractor: W.R. Albert Construction, Inc.
El Paso, Texas

Department: El Paso International Airport

Funds available: 620024-AP0005-208027(Base Bid I)
620027-AP0011-208027 (Base Bid II)

Funding source: Airport

Base Bid I: \$187,500.00

Base Bid II: \$220,000.00

Total Award: \$407,500.00

RECOMMENDATION: \

It is recommended that Alpine Remodeling, Inc., the low bidder, be allowed to withdraw his bid as requested without prejudice or forfeiture of his bid security; and

That the contract be awarded to W. R. Albert Construction, Inc., as recommended by the Purchasing Department. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

DESCRIPTION OR EXPLANATION:

Base Bid \$187,500.00

Base Bid \$220,000.00

TOTAL RECOMMENDED AWARD: \$407,500.00

.....

*Motion made, seconded and unanimously carried to approve request that the Director of Purchasing be authorized to issue a Purchase Order(s) to State of Texas, Department of Information Resources for maintenance agreement for DEC (Compaq) Software and Computer Equipment at various locations of the Police, Contract No. 0269-96C and Fire Departments Contract No. 97-0050C. Also, that department be authorized to make necessary changes (up or down) as necessary to maintain DEC software and hardware from September 1, 2001 through August 31 2002. Additionally, it is requested that Mayor be authorized to sign any additional documents, contract, and/or agreements.

Award amount is Fire \$3,356.16 and Police \$91,077.12

Total Award \$94,433.28

Funds available in: Fire 010090-202202 - Police 010056-202202

Department: Fire and Police Department

.....

*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend Contract No. 2000-026C1 between the City of El Paso and Advanced Auto Collision, El Paso, Texas to provide Vehicle Body Repair and Painting (Light and Medium Duty Vehicles) for the Equipment Maintenance Department (for two additional years) starting December 28, 2001, and ending December 27, 2003.

Department: Equipment Maintenance Department
Funds available: 370510-203125
Funding source: Equipment Maintenance Internal Service Fund
Total amount: \$50,000.00 (estimated annually)

.....
Motion made, seconded and unanimously carried to move to the regular agenda Change Order No. 8 (Scope Change) to JAR Concrete for "1996 Urban Street Program Concrete Intersections".

Representative Medina remarked that there was no explanation as to why the intersection of Geronimo and Edgemere was being deleted.

Mr. Byron Johnson, Director of Purchasing, stated that each intersection would be handled separately under the Texas Department of Transportation (TXDOT) requirements.

Representative Cook questioned whether JAR Concrete had exceeded the number of Change Orders for this project.

Mr. Gonzalo Cedillos, Deputy Director of Engineering, commented that the Geronimo and Edgemere intersections would be re-bid as a separate project.

Representative Sumrall questioned the percentage that TXDOT would be paying.

Mr. Cedillos explained it would be a 80/20 split.

Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried to approve Change Order No. 8 (Scope Change) to JAR Concrete for "1996 Urban Street Program Concrete Intersections" for a decreased amount of \$255,045.56. To delete intersections of Geronimo and Edgemere.

.....
Motion made, seconded and unanimously carried to move to the regular agenda budget transfer BT2001-688 POLICE

Mr. Bill Chapman, Chief Financial Officer, explained that the budget transfer is necessary to pay for City prisoners in the County Jail. The number of prisoners has increased therefore; the budget change is necessary.

Mayor Raymond Caballero asked if this item would be re-negotiated with the County of El Paso in the future.

Mr. Chapman responded yes.

Mr. Arthur Ward, citizen, questioned the decrease in health care provider in the amount of \$240,000 and he also noted an increase of prisoner custody in the amount of \$360,101. He stated that he does not want El Paso to be known for its jails and asked for an elaboration regarding the prisoner custody amount.

Mr. Chapman remarked that the number of prisoners has increased. The cost covers items such as processing and per diems.

Representative Cook noted that the average cost is \$58.00 per prisoner.

Motion made by Representative Sariñana, seconded by Representative Medina and unanimously carried to approve budget transfer BT2001-688 POLICE

This transfer is to increase the funding to reimburse the county for prisoner processing. This should provide required funding based on the charges that have been submitted through June. We are averaging \$176,000 per month.

Increase	\$360,101	to	010061/204408	Prisoner Custody
Decrease	\$ 25,657	from	010050/202215	Outside Contracts
Decrease	\$ 45,404	from	010050/204402	Gen Liability Ins
Decrease	\$ 28,642	from	010069/202215	Outside Contracts
Decrease	\$ 13,500	from	010071/202404	Office Equip Lease
Decrease	\$ 6,898	from	010071/202408	Vehicles-Lease
Decrease	\$240,000	from	010072/202111	Health Care Provider

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-708 AIRPORT

Commissions are based on rental of property in Butterfield Trail Industrial Park. Based on the increased revenue, there is additional commission expense.

Increase	\$19,275	to	620013/103035	Ground Rent
Increase	\$19,275	to	620013/204423	Airport Comm Exp

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-711 PUBLIC WORKS

Transfer is necessary to cover cost overruns in utilities.

Decrease	\$ 40,000	from	010325/202206	Maint Srvc Contract
Decrease	\$ 37,000	from	010325/202226	Bldg/Fac Maint Cont
Decrease	\$ 30,000	from	010325/202229	Office Equip Contract
Decrease	\$ 4,000	from	010325/203200	Bldg Facilities
Decrease	\$ 80,000	from	010326/201000	Salaries
Decrease	\$ 42,000	from	010326/202226	Bldg/Fac Maint Cont
Decrease	\$ 26,000	from	010326/203200	Bldg Facilities
Decrease	\$ 8,000	from	010327/202204	Environmental Cont
Decrease	\$ 4,000	from	010327/202206	Maint Serv Contract
Decrease	\$ 2,000	from	010327/202300	Equip Maint
Decrease	\$ 8,000	from	010327/203200	Bldg Facilities
Decrease	\$ 3,000	from	010328/202206	Maint Srvc Contract
Decrease	\$ 9,000	from	010328/203200	Bldg Facilities
Decrease	\$ 66,000	from	010314/201000	Salaries
Decrease	\$ 12,000	from	010314/203122	Maint Supplies
Decrease	\$ 14,000	from	010349/201000	Salaries
Decrease	\$359,000	from	010273/204405	Contingency
Increase	\$514,000	to	010040/204100	Electricity
Increase	\$230,000	to	010040/204102	Natural Gas

*Motion made, seconded and unanimously carried to approve budget transfer BT2001-714 PUBLIC WORKS

Public Works proposes to transfer appropriations of \$270,000 for land acquisition and design for Fi. Station #31. Funding source is FY01 CO's.

Increase	\$270,000	to	250202/PW0055/207001	Intrafund Transfer Out
Decrease	\$270,000	from	50202/PW0055/208000	Land
Increase	\$270,000	to	250202/PW0002190/107001	Intrafund Transfer
Increase	\$120,000	to	250202/PW0002190/208000	Land
Increase	\$150,000	to	250202/PW0002190/208050	A/D

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-715 PUBLIC WORKS

Public Works proposes to appropriate \$204,000 for design of Vista Del Valle for Parks Facilities-2000 Election. Funding source is FY01 2000 issue Bond Authorization.

Increase	\$204,000	to	130500/PW0046005/107020	Bond Proceeds
Increase	\$204,000	to	130500/PW0046005/208050	Design

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-716 PUBLIC WORKS

Public Works proposes to appropriate \$175,000 for engineering services for Kimberly Heights Street and Drainage Improvements. Funding Source is FY00 Sale of CO's.

Increase	\$175,000	to	250102/PW0028001/207001	Intrafund Transfer
Decrease	\$175,000	from	250102/PW0028001/208027	Construction
Increase	\$175,000	to	250102/PW0028002/107001	Intrafund Transfer
Increase	\$175,000	to	250102/PW0028002/208016	A/D

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-720 SOLID WASTE MANAGEMENT

Transfer funds between programs to cover the outstanding payment to Waste Connections, DBA, El Paso Disposal.

Increase	\$ 87,064	to	010298/202204	Environmental Cont
Increase	\$277,064	to	010296/202204	Environmental Cont
Decrease	\$ 34,082	from	010289/202115	Mgmt Consultants
Decrease	\$ 15,147	from	010289/202215	Outside Contracts
Decrease	\$ 21,000	from	010289/204402	General Liability
Decrease	\$143,163	from	010289/207002	Fund Bal Transfer
Decrease	\$ 94,300	from	010290/202408	Vehicle Leases
Decrease	\$ 40,273	from	010290/203117	Equip Maint Supp
Decrease	\$ 16,163	from	010295/204402	General Liability

.....
*Motion made, seconded and unanimously carried to approve the request of Rim-University Neighborhood Association to block off the 700 block of Blacker on September 16, 2001 from 5:00 p.m. to 9:00 p.m. for a

picnic/block party. Approximately 200 persons will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT NO. 01-094

*Motion made, seconded and unanimously carried to approve the request of Fiesta De Las Flores to hold a parade on August 31, 2001 from 1:00 p.m. to 3:00 p.m. Route: Staging area lot on the corner of Stanton and Montana, head west on Montana to Oregon, south on Oregon to San Antonio, east on San Antonio to St. Vrain, ending on the lot at San Antonio and St. Vrain. Approximately 200 persons will take part and 500 spectators are anticipated. PERMIT NO. 01-095

*Motion made, seconded and unanimously carried to approve the request of Buena Vista Beautification Committee to use amplification (5 microphones & 4 speakers) at Buena Vista Park on August 18, 2001 from 3:00 p.m. to 11:00 p.m. Approximately 5 persons will use amplification and 100 spectators are anticipated. PERMIT NO. 01-098

ORDINANCE 14914

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF ALL OF LOTS 45, 46 AND 47, BLOCK B, BASSETT ADDITION, EL PASO, EL PASO COUNTY, TEXAS (2131 CENTRAL AVENUE) AS FOLLOWS: PARCEL 1, FROM C-4 (COMMERCIAL) TO S-D (SPECIAL DEVELOPMENT); AND PARCEL 2, FROM A-3 (APARTMENT) TO S-D (SPECIAL DEVELOPMENT). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Ms. Pat Aauto, Planning Director, noted that this Ordinance and the following Ordinance should be taken together. She explained the zoning change, which should be corrected to remove Special Conditions, was to expand a day care facility and that the Development Coordinating Committee and the City Plan Commission recommended favorably. She noted that there had been only one telephone call in opposition.

Representative Cobos questioned if the individual(s) in opposition was present in Council Chambers.

Mayor Raymond Caballero asked if anyone from the public wished to comment on this item. No one responded.

Motion duly made by Representative Cobos, seconded by Representative Cook that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14915

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-01001 TO SATISFY PARKING REQUIREMENTS FOR PARCEL I, DESCRIBED AS ALL OF LOTS 45, 46, AND 47, BLOCK B, BASSETT ADDITION (2131 CENTRAL AVENUE), BY ALLOWING OFF-STREET PARKING ON PARCEL II, DESCRIBED AS ALL OF LOTS 52, 53 AND 54, BLOCK B, BASSETT ADDITION, EL PASO, EL PASO COUNTY, TEXAS (2100 BLOCK OF CENTRAL AVENUE), PURSUANT**

TO SECTION 20.24.240.O (ZONING), THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

Ms. Pat Adauto, Planning Director, explained the request for Special Use Permit as additional parking for the day care facility. She noted that the Development Coordinating Committee and City Plan Commission recommended favorably.

Motion duly made by Representative Cobos, seconded by Representative Cook that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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ORDINANCE 14916

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 23B, BLOCK 29 AND TRACT 8H, BLOCK 33, YSLETA GRANT, EL PASO, EL PASO COUNTY, TEXAS, (100 BLOCK OF SOUTH YARBROUGH DRIVE NEAR INTERSECTION WITH ALAMEDA AVENUE) FROM C-1/SC (COMMERCIAL/SPECIAL CONDITIONS) TO C-3/SC (COMMERCIAL/SPECIAL CONDITIONS) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Sumrall asked Ms. Pat Adauto, Planning Director, why the City Plan Commission approved this item when City's Department Heads had real concerns with this.

Representative Sariñana explained that he had met with the residents and their complaint was that the property was being used as a dumping site. He would like to improve the property and add it to the tax roll.

Representative Medina questioned whether a rock wall would be built.

Ms. Adauto explained that there were special conditions placed on the property in 1975 and one condition imposed by that contract was masonry rock walls be built on the property lines. She explained that the City Plan Commission felt that due to the close proximity of Yarbrough and Alameda this rezoning would not have a significant impact to the abutting neighborhood.

Motion duly made by Representative Sariñana, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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ORDINANCE 14917

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF PORTIONS OF LOTS 8 AND 9, BLOCK 5, LAFAYETTE PLACE, EL PASO, EL PASO COUNTY, TEXAS (7922 NORTH LOOP DRIVE), FROM R-3 (RESIDENTIAL) TO C-1 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Sariñana explained that this zoning change would allow for a shoe repair shop.

Motion duly made by Representative Sariñana, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14918

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 12 AND THE WEST 8.5 FEET OF LOT 13, BLOCK 3, MESA VISTA ADDITION UNIT 2, EL PASO, EL PASO COUNTY, TEXAS, (8042 GLENDALE AVENUE) FROM R-3 (RESIDENTIAL) TO R-3A (RESIDENTIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Motion duly made by Representative Sariñana, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14919

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF ALL OF LOT 1, STEVENS UNIT 1, EL PASO, EL PASO COUNTY, TEXAS (9401 SOCORRO ROAD) AS FOLLOWS: PARCEL 1, FROM R-F/H (RANCH-FARM/HISTORIC) TO C-1/H (COMMERCIAL/HISTORIC); AND PARCEL 2, FROM R-F (RANCH-FARM) TO C-1 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Motion duly made by Representative Escobar, seconded by Representative Sariñana that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14922

The City Clerk read an Ordinance entitled: **AN ORDINANCE PERMITTING MILLENNIUM PLASTICS TECHNOLOGIES TO USE A PORTION OF EASTWOOD ALBUM PARK FROM 10:00 AM UNTIL 4:00 PM ON AUGUST 25, 2001**

Motion duly made by Representative Power, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14923

The City Clerk read an Ordinance entitled: **AN ORDINANCE PERMITTING PREPARED FOODS TO USE A PORTION OF MARWOOD PARK FROM 7:00 AM UNTIL 8:00 PM ON AUGUST 19, 2001**

Motion duly made by Representative Cobos, seconded by Representative Sariñana that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14924

The City Clerk read an Ordinance entitled: **AN ORDINANCE PROVIDING FOR THE ISSUANCE OF CITY OF EL PASO, TEXAS, WATER AND SEWER REVENUE BONDS, SERIES 2001, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$16,265,000 FOR THE PURPOSE OF IMPROVING AND EXTENDING THE CITY'S WATER AND SEWER SYSTEM AND PAYING THE COSTS RELATED TO THE ISSUANCE OF THE BOND'S; AND ENACTING PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSES OF THIS ORDINANCE.**

Representative Cook asked for comments.

Mr. Norman Gordon, attorney and Bond Counsel for the City of El Paso, stated that Council Members were given the interest rates information and mentioned that representatives from the Public Service Board were available to answer any questions regarding the project and Mr. Steven Adams, First Southwest Co., financial consultant for the City, is available to discuss interest rates and answer any questions Council Members may have.

Representative Sariñana questioned the 4.3% interest rate and asked whether this was accurate.

Mr. Steven Adams responded yes and added that this was a 20 year note.

Mayor Raymond Caballero explained that the City has been doing business with First Southwest for 20 years and asked why a local office had not yet been established here.

Mr. Adams explained that there were other First Southwest locations throughout the State of Texas; however, not yet in El Paso. He stated that First Southwest is working toward correcting this.

Mayor Caballero asked whether First Southwest represents any of the local school districts. Mr. Adams stated yes, four or five.

Mayor Caballero remarked that since El Paso is one of First Southwest's largest customers there should be an established office in El Paso.

Mr. Adams responded that First Southwest would be addressing this issue in the future.

Representative Cook agreed with the Mayor's comments and added that First Southwest has been doing an excellent job and asked if anyone from the PSB (Public Service Board) would like to make any comments.

Mr. Mike Spurlock, attorney for the PSB, gave a brief overview regarding this item.

Representative Cook questioned whether the expansion was due to annexation.

Mr. Spurlock responded yes and added that it was also due to growth in the City. He noted that these facilities are built on an "as needed basis".

Representative Sariñana commented on sewage and health issues and questioned whether the City would be working with Ciudad Juarez regarding these kinds of issues.

Mr. Spurlock responded yes the PSB is working as closely as ever with Juarez and that this process is currently underway. He explained the progress that Juarez has been making regarding waste water and other issues.

Mayor Caballero thanked Representative Sariñana for bringing this issue up for comment and remarked that El Paso should become more involved with Juarez.

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01015, FOR A PORTION OF LOT 1, BLOCK 11, I-10 INDUSTRIAL PARK, REPLAT "A", EL PASO, EL PASO COUNTY, TEXAS, (1050 BURGUNDY DRIVE), PURSUANT TO CONTRACT CONDITION.

WHEREAS, **Southwestern Bell Telephone Company** (the "Applicant") has applied for approval of a detailed site development plan pursuant to the Contract entered into on November 20, 1975, related to Ordinance No. 005643, by and between the City and I-10 Joint Venture and K. D. Development & Construction Company, Inc. to permit the construction and installation of a communications equipment hut; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application; and

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant to permit the construction and installation of a communications equipment hut on the following described property which is located in an **M-1/sc (Manufacturing/special contract)** District:

A portion of Lot 1, Block 11, I-10 INDUSTRIAL PARK, REPLAT "A", El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A"; and municipally known and numbered as 1050 Burgundy Drive. (Exhibit on file with this Resolution in the City Clerk's office)

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto as Exhibit "B" and incorporated herein by reference. (Exhibit on file with this Resolution in the City Clerk's office)

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **M-1/sc (Manufacturing/special contract)** District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **M-1/sc (Manufacturing/special contract)** District regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Motion made by Representative Escobar, seconded by Representative Medina and unanimously carried to approve the above Resolution.

Representative Sariñana was not present for the vote.

ORDER

WHEREAS, after providing due notice to the Owner of the hereinafter described property, the City Council of the City of El Paso conducted Public Hearings on June 12th and August 14th, 2001, regarding the property located at 1117 N. El Paso Street, more particularly described as:

Lots: A Portion of Lots 7 through 9, (43.5 feet on street, 76.95 feet and 42.3 feet on S, 4 feet on rear, 117.62 feet on N) Block 7, Sunset Heights Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 10, Page 47, Plat Records of El Paso County, Texas

and found that the Building located on said property is substandard; unfit for habitation or use, and a hazard to public health, safety and welfare; and that the Building is not in substantial compliance with the Municipal Ordinances, and that the Building can not be repaired; and

WHEREAS, having found that the Building is not in substantial compliance with the Municipal Ordinances, the City Council ORDERED the Owner of said property to demolish the Building and remove all weeds, trash and debris, within 30 days of adoption of the Resolution dated June 12th, 2001, that is on or before July 12th, 2001.

WHEREAS, the City Council ORDERED the Owner of said property to appear before City Council on August 14th, 2001, for a Public Hearing to determine whether the Council Order has been complied with and to determine penalties if the Council Order has not been complied with:

WHEREAS, no one appeared.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council, having heard the evidence, makes the following findings:
 - a. That the Owner of said property, Roberto Avina, was notified of the requirements of Section 18.52.040 and of his need to comply with these requirements as they relate to their property; and
 - b. That after notification, the Owner committed an act in violation of Section 18.52.040 or failed to take an action necessary for compliance with 18.52.040, specifically; the Owner failed to demolish the Building, and clean the premises of all weeds, trash and debris within 30 days after June 12th, 2001 that is, on or before July 12th, 2001; and
 - c. That the Owner has failed to comply with the Order each day from July 12th, 2001 through August 14th, 2001, a total of 33 days; and
 - d. That the property which is subject to the Order is not the Owner's homestead; and
 - e. That the City Council can assess a civil penalty against the Owner in an amount not to exceed \$1,000.00 a day for each violation, a total of \$33,000.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the Owner is hereby assessed the following civil penalties: \$100 a day for each of the 33 days during which the City Council Order of July 12th, 2001 was not complied with; for a total of \$3,300.

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2. That the City Clerk file a certified copy of this Order with the District Clerk of the County of El Paso; and
3. That the Owner is hereby placed on notice that continuing failure to comply with the City Council's Order to demolish the Building and clean the premises of all weeds, trash, and debris may result in additional and more severe penalties.

Mr. Thomas Maguire, Building Services, read from a prepared statement and gave the Department's recommendations.

Representative Cook questioned if the recommendation language might include "additional and more severe" penalties. Mr. Maguire agreed.

Representative Cobos accepted Representative Cook's recommendation and added that the building falls within an historical district. He questioned what year the building was constructed. Mr. Maguire responded 1904.

Mayor Raymond Caballero questioned whether the historic building (structure) is recoverable.

Mr. Maguire responded that it may be recoverable; however, it may not be feasible to do so. The property has deteriorated over the years, water leaks, structural problems, etc.

Representative Sariñana asked Mr. Maguire whether he knew the history of the building. Mr. Maguire responded that as far as historical significance, other than the buildings age, he is not aware of any.

Representative Sariñana recommended performing a history evaluation of the structure. He stated that the City could not demolish the older buildings around the City.

Mayor Caballero remarked that the building is located near the Community College downtown and stated that if the structure were to be demolished it would be difficult to rebuild a home that would be in keeping with the architectural design of this neighborhood. He asked Representative Sariñana how long it would take to complete an historical evaluation.

Ms. Rita Rodriguez, First Assistant City Attorney, stated that Council Members have found the building substandard at a previous City Council meeting and that the action today is the penalty hearing.

Mayor Caballero asked whether the building might be fenced off so that an historical evaluation might be performed.

Mr. Maguire stated that this address has been forwarded to individuals who may have taken an interest in the building; however, no one has stepped forward.

Mayor Caballero suggested that Mr. Maguire check into the possibility that the building might be a "Trost" home.

Representative Cook explained that the action today is to decide whether or not to impose penalties on the property.

Mr. Maguire reiterated that there is sufficient time to investigate the historical evaluation of the property.

Representative Sumrall asked that an appraisal on the building and property be performed. She explained that the amount related to the penalties might be more than what the property is worth; therefore, the City might utilize the structure in some form.

Representative Medina commended Messrs. Maguire and Stern for their diligence regarding Code enforcement. He stated that this building might be a City treasure and asked that the Building Services Department not be hasty in their demolition decision.

Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried to adopt the above order.

.....
RESOLUTION

WHEREAS, the Building Official and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 9411-15 Dyer Street, in El Paso, Texas, which property is more particularly described as follows:

Tracts: 5A and 5C, Section 1, Block 81, Township 2, and Tract 1B, Section 2, Block 81, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas according to the resurvey of said Texas and Pacific Railway Company Surveys made by El Paso County, Texas for tax purposes

is dilapidated, substandard, and unfit for human habitation or use; is a hazard to public health, safety, and welfare; and

WHEREAS, Great Northeast Joint Venture record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on August 14th, 2001; and

WHEREAS, Myer J. Lipson, attorney for the owners, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
 - a. That the structures located on said property are condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
 - b. That the structures are not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 - c. The structure's certificate of occupancy is hereby revoked; and
 - d. That the structures can not feasibly be repaired.
2. That the City Council hereby orders Owners to comply with the following requirements:
 - a. That the Building be secured from unwanted entry immediately; and
 - b. That the structures be demolished within 30 days; and
 - c. That the premises be cleaned of all weeds, trash and debris within (30) days; and

- d. That a public hearing be scheduled for September 18th, 2001, in the City Council Chambers, to determine, if the Council order has been complied with and, if not, to determine penalties; and
 - e. That the Owners of said Building are hereby ordered to comply with all requirements of the Resolution; and
 - f. The owners are advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
 - g. That upon failure of the Owners to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the Buildings and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owners to comply with this Order, the City of El Paso through its Deputy Director of Building Services shall demolish the Building and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owners of said property; and
 4. That said Owners shall become personally liable for all costs incurred by City in connection with demolishing the Building and cleaning the premises of all weeds, trash and debris; and
 5. That the costs incurred by the City in connection with the demolishing of the building and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
 6. That upon failure of the Owners to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owners of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owners to comply with this order the City Council may assess a civil penalty against the property Owners in an amount not to exceed \$1,000.00 a day for each violation or, if the Owners show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owners to comply with this order, the Owners may be confined in jail as permitted by state law; and
 7. That upon failure of the Owners, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
 8. The Owners, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
 9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
 10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owners and all other persons having interest in the property as provided by law.

Mr. Thomas Maguire, Building Services, presented the case to Council Members and gave the Department's recommendations.

Mr. Myer J. Lipson, attorney for Greater Northeast Joint Venture, commented on the owner's behalf. He asked to be given an additional 30 day extension in order that an asbestos survey of the property be performed and to complete the bidding process for a demolition company, etc.

Representative Cook suggested that Mr. Lipson comply with the 30 day time frame as presented by Mr. Maguire and to contact Representative Cook, if necessary, regarding an additional 30 days extension.

Representative Sumrall questioned whether homeless individuals were utilizing the building and whether securing the building might be necessary.

Mr. Lipson responded that he would secure the building immediately and that there was an individual who was there to maintain the building; however, this individual has since been told to vacate the premises.

Motion made by Representative Cook, seconded by Representative Rodriguez and unanimously carried to accept the recommendations of the Department and to adopt the above resolution.

.....
*Motion made, seconded and unanimously carried to delete Public hearing to determine if the property located at 909 La Barca Lane in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.

.....
*Motion made, seconded and unanimously carried to delete Public hearing to determine if the property located at 1205 N. El Paso Street in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.

.....
*Motion made, seconded and unanimously carried to postpone four (4) weeks Public hearing to determine if the property located at 236 Candelaria St. in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.

.....
Motion made by Representative Power, seconded by Representative Cook and unanimously carried to adopt a Resolution developing an Office of Tourism within the City's Department of Economic Development as recommended at the joint Economic Development/Convention & Visitors' Bureau legislative committees meeting.

Representative Power revised to item to read "Discussion and action on a Resolution developing an Office of Tourism, etc. " He stated that members of Council thought it was necessary to develop an Office of Tourism and to fund this with monies which would have gone to the Chamber of Commerce.

Mayor Raymond Caballero stated that this is a good idea and as a general proposition approve it. He commended the Council Members on their good work.

Representative Medina commented on the overview of the budget which would be discussed on Thursday and recommended that this move forward.

Representative Power stated he would like to develop an Office of Tourism and approve the Resolution.

Representative Sumrall congratulated Representative Power on his hard work regarding this item.

Representative Cook recognized Representative Power's ability to embrace tourism.

Mr. Roberto Franco, Director of Economic Development, questioned if Council would like him to take any action.

Mayor Caballero explained that would be tasking for Mr. Franco to change the direction of the Economic Development Department and to consider accepting the Office of Tourism responsibilities as well.

Mr. Franco asked if Council would like him to develop an action plan for the Office of Tourism.

Mayor Caballero stated yes an action plan needs to be developed and that the Council Members would be assisting Mr. Franco with the this action plan.

Representative Power made the Motion regarding the Resolution to develop an Office of Tourism within the City. Representative Cook seconded that Motion.

Representative Sariñana questioned where the SMG contract fits in with this discussion.

Mayor Caballero explained that the SMG contract is a separate item and remarked that \$140,000.00 would be going to the Chamber of Commerce.

Ms. Rita Rodriguez, First Assistant City Attorney, explained that the SMG contract was not noted on the Agenda; therefore, discussion should be terminated. She would give Representative Sariñana legal advice in Executive Session.

.....
Motion made by Representative Power, seconded by Representative Cook and unanimously carried to create a Committee of Tourism and Corresponding Legislative Review Committee.

Representative Cook stated that Council Members were asking that a new Legislative Review Committee be set up for the Office of Tourism.

Ms. Carole Hunter, City Clerk, explained that the item was revised to read "Discussion and action to create a Committee of Tourism and a Corresponding Legislative Review Committee".

Representative Power questioned whether he should add the word "Resolution" in the language.

Representative Sumrall asked Ms. Rita Rodriguez, First Assistant City Attorney, whether a public hearing should be held to create new Boards and Commissions.

Ms. Rodriguez responded that Commissions are created through Ordinances; therefore, Council Members should direct the Legal Department to draft an Ordinance to create this Committee.

Representative Medina recommended that this not be an "Ad Hoc Committee" but rather a permanent Committee and asked that individuals within the community with international connections might assist with information for this newly created Office of Tourism.

Representative Cook stated that the item was amended to read "Discussion and action to create a Legislative Review Committee". He remarked that the Legislative Review Committee would give the recommendation(s) for the Ordinance that would create another Tourism Committee.

Representative Power made the Motion, as stated by Representative Cook.

Representative Cook stated that Representative Medina as the Mayor Pro Tem would appoint the Council Members to this Committee.

Representative Cobos expressed his desire to participate and sit on the newly formed Legislative Review Committee for the Office of Tourism due to his District encompassing more history than any other in the City.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week a Resolution to set the number of Substitute Associate Municipal Judges at twenty, to terminate the designation for the temporary El Paso Municipal Court, and to make the designations for the Arraignment Court and the Night Magistrate; and to request that the following Substitute Associate Municipal Court Judge appointments be approved by the City Council as recommended by the Municipal Court Legislative Review Committee, in accordance with Ordinance No. 12403, for terms expiring the second Tuesday in June, 2003: Alfonso Dominguez, Night Magistrate; Carl G. Horkowitz, Arraignment Court; Regina B. Arditti; David A. Bonilla; Ouisa D. Davis; Ralph R. Garcia; Mario A. Gonzalez; Marlene Gonzalez; Patrick A. Lara; Stuart L. Leeds; Alex A. Melendez; John Arthur Needham; Andre C. Poissant; David A. Rutledge; Roberto Sandoval; Dave P. (Duke) Dolezal; Susan Louise Godwin; Max Daniel Muñoz; Richard A. Olivo; and Yvonne T. Rodriguez (there being no alternate candidates available for selection). (Representative Escobar)

.....
Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.08 (Administration and Enforcement), Section 12.08.220, Subsection D only (Impounding Vehicles) to increase the storage fees for vehicles stored in the City's impound lot; the penalty being as provided in Sections 1.08.010 to 1.08.030 of the El Paso Municipal Code.
- B. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.16 (Accident Reports), Section 12.16.010 (Required-Driver of Vehicles Involved), to amend the accident reporting requirements; and to replace Section 12.16.030 (Confidentiality) with Section 12.16.030 (Affirmative Defenses) to create defenses to prosecution under Chapter 12.16 of the El Paso Municipal Code; the penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.
- C. An Ordinance granting a Special Privilege to the Central Business Association of El Paso, Inc., to permit temporary sidewalk vending for participating merchants within certain public rights-of-way in Downtown El Paso from August 29, 2001 through December 31, 2001 (Fee: \$75.00 per location, SP-01017)
- D. An Ordinance approving and adopting the Long-Range General Policies for guiding growth and development in the community as contained within The Plan for El Paso and its related documents approved by City Council on April 27, 1999, and adopting modifications to the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of The Plan.
- E. An Ordinance vacating a portion of a twenty-foot (20') wide alley within Block 46, between San Antonio Avenue and Overland Avenue, Mills Addition, City of El Paso, El Paso County, Texas.

PUBLIC HEARING WILL BE HELD ON AUGUST 28, 2001 FOR ITEMS A - E

- F. An Ordinance amending Ordinance Number 014327, which changed the zoning of a Portion of Tract 9-A and all of Tract 10, Section 32, Block 79, Township 2, TEXAS AND PACIFIC RAILWAY SURVEYS, City of El Paso, El Paso County, Texas (11900 Block of Montana Avenue) from R-3 (Residential) to RMH/c

(Residential Mobile Home/conditions) and imposing certain conditions, and amending Ordinance Number 014328, which changed the zoning of all of Tracts 9-B and 9-C, Section 32, Block 79, Township 2, TEXAS AND PACIFIC RAILWAY SURVEYS, City of El Paso, El Paso County, Texas(11900 Block of Montana Avenue) from R-3 (Residential) to RMH/c (Residential Mobile Home/conditions) and imposing certain conditions, to release the zoning condition. The Penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Montana Palms of El Paso, Ltd. / Representative: R.L. Bowling III, Peter Yegge, 5819 Sun Valley, El Paso, TX 79924. ZC-01024.

- G. An Ordinance changing the zoning of a portion of Block 206, ALEXANDER ADDITION, El Paso, El Paso, County, Texas (400 East Robinson) from A-2 (Apartment) to A-O (Apartment/Office). The Penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Catholic Properties of El Paso / Representative: Ainsa Partners, 5809 Acacia Circle, El Paso, TX 79912. ZC-01038.

PUBLIC HEARING WILL BE HELD SEPTEMBER 4, 2001 FOR ITEM F - G

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

ADDITION TO THE AGENDA

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the El Paso Museum of Art be authorized to serve alcohol at One Arts Festival Plaza at the reception for the unveiling of the sculpture "Ellipse" on August 23, 2001.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Authorizing the Mayor to sign a Purchase Agreement between the City of El Paso and Mesa Executive Park, L. P., to purchase a one acre tract of land for Fire Station #31 to be located near John Duncan Street and North Mesa Street and more particularly described as a one acre portion of land out of the E. L. De Shazo Survey No. 218, El Paso, El Paso County, Texas.

Representative Sumrall pointed out that John Duncan Street was changed to Mesa Place and noted that this is an excellent location for this Fire Station to be located across the street from "Westside Dodge".

Fire Chief Glen Johns, remarked that he does not have a problem changing the street name; however, the plat indicates the street name as "Mesa Park Drive".

Motion made by Representative Sumrall, seconded by Representative Cook and unanimously carried to approve the above Resolution.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Authorizing the Mayor to sign an Interlocal Governmental Agreement between the City of El Paso and the El Paso Independent School District for the joint development and use of recreational facilities at the Hawkins Elementary School Campus, El Paso, El Paso County, Texas.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Authorizing the Mayor to sign an easement to Southern Union Gas Company in property located in a Portion of Lot 1, Block 5, Riverside International Industrial Center, El Paso, El Paso County, Texas for the purpose of providing a regulator station to upgrade service near Winn Road and the Franklin Drain in the Lower Valley.

*Motion made, seconded and unanimously carried to appoint Michael Gibson to the Airport Board by Mayor Raymond C. Caballero.

Motion made, seconded and unanimously carried to move to the regular agenda Change Order No. 2 (Construction Change) to Silverton Construction Company, Inc., for Street Resurfacing 2000 Project, for an increased amount of \$420,730.00 and to extend the contract time by 28 days to September 28, 2001, in order to complete the 2000 Street Resurfacing Program.

Representative Sariñana questioned why the contract was extended \$420,730.00 and would it not be feasible to rebid the item.

Mr. Byron Johnson, Director of Purchasing, explained that this contract was set up with unit prices and estimated quantities so that the City would not have lump sums. He stated that towards the end of the contract period a decision must be made to either: 1) extend the quantities to complete the project; or 2) move the quantities to another contract. If the quantities are moved to another contract \$30,000.00 would be added to the cost of the streets. He stated that this is the most appropriate methodology to use the "requirements contract" so that the City only pays for materials used.

Representative Sariñana cautioned Council Members that Silverton Construction is overburdened with other projects and that the work on "San Jose" has taken too long and the resurfacing on Giles street is being to fail. He is very dissatisfied with Silverton and that the work is not meeting City specifications.

Mr. Daryl Cole, Deputy Director for Streets, stated that there are seven or eight areas within the City where pavement is slipping. He stated that the Change Order before Council today would complete Cotton Street, El Paso Drive and areas off of these named streets. He stated that the areas regarding slippage would be dealt with appropriately.

Representative Sariñana remarked that the City should stop awarding contracts to contractors that are not willing to meet the City's specifications.

Mr. Cole disagreed with Representative Sariñana and explained there is only a small area which is presenting problems. The Street Department is experiencing difficulty with this particular asphalt with slipping and sliding in areas and that the contractor is complying with everything the City has asked.

Representative Sariñana asked if it would be more feasible to strip this particular asphalt and replace it with something better.

Mr. Cole explained that this is a "Street Resurfacing" which entails resurfacing not reconstruction, complete reconstruction of the street would mean spending eight to 10 times more money.

Representative Cook asked Mr. Cole if the overall performance of Silverton Construction is satisfactory. Mr. Cole responded yes.

Motion made by Representative Cook, seconded by Representative Sumrall and carried to approve Change Order No. 2 (Construction Change) to Silverton Construction Company, Inc., for Street Resurfacing 2000 Project , for an increased amount of \$420,730.00 and to extend the contract time by 28 days to September 28, 2001, in order to complete the 2000 Street Resurfacing Program. (2000-203)

Representative Sariñana voted Nay.

.....
Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to authorize Mayor Raymond C. Caballero to speak to County Judge Briones about inviting the County Commissioners to start discussions about County Parks and City Parks.

Mayor Raymond Caballero opened the discussion and stated that the City enjoys a very fine relationship with the County of El Paso and that there is open communication and dialogue. Ascarate Park and other sites are County Parks under the County's jurisdiction and it may not be appropriate to discuss this openly when this park does not belong to the City, it may create misunderstandings.

Representative Cook stated that a joint meeting was held yesterday with the County and this meeting set the tone for any future issues that the City and County may have a shared interest in. He stated that it might be appropriate if Council Members called for a meeting to discuss parks with individuals from the County in attendance.

Representative Sumrall agreed with Representative Cook's comments and noted that in the past the County was left out of the discussion(s).

Mayor Caballero stated that this property is not owned by the City and the County Commissioners have not raised the issue with Council Members; therefore, he would not like to address the issue until the County Commissioners express their intention(s) to him.

Representative Medina stated that due to the renewed relationship with County Commissioners he felt comfortable enough to place the item on the Agenda. He noted that informal meetings have been held with County Commissioners for many years regarding consolidating the parks in El Paso. He asked that when a formal meeting is scheduled, representatives from the City Attorney's office, Parks and Recreation Department and members of the Parks and Recreation Committee be present. He asked that the citizens from the community, representatives from City and County staff, County Commissioners and Council Members be present and discuss the possible consolidation of the Parks Departments of both the County and City.

Representative Power suggested an invitation be extended to the County Commissioners to enter into a dialogue and form this Committee.

Representative Cobos stated that consolidation is a very gradual process and invited the public to come to a Legislative Review Committee meeting scheduled for tomorrow during which Ascarate Park would be discussed. He stated that it is important that proper protocol be followed and suggested that following the

Legislative Review Committee meeting the City could present recommendations to the County Commissioners.

Representative Escobar asked that the City and County Parks Advisory Committee meet and sta discussions. He noted that some departments should consolidate and others should not. He suggested that the City take care of the parks already in existence, then possibly later adding other responsibilities.

Representative Sumrall commented on the Bond election and stated that these monies should not be spent on a County facility. She asked that the Officers of the City and County Parks Board meet.

Mayor Raymond Caballero agreed with Representative Cobos' suggestion regarding holding the Legislative Review Committee meeting first.

Representative Medina asked that a representative from the City Attorney's office be present and that minutes of the meeting be written. He moved that Council Members invite the County Commissioners for a joint meeting for discussion and action on the formation of an Exploratory Committee.

Mayor Caballero stated he was concerned that without having consulted the County Commissioners first it might put the Commissioners in an uncomfortable position.

Representative Cobos explained that the Legislative Review Committee meeting scheduled for tomorrow is a formal meeting and asked that Council Members be in total agreement before meeting with the County Commissioners.

Representative Medina disagreed with Representative Cobos' comments.

Mayor Caballero stated that Representative Cobos was trying to say that there may be a very strong argument for consolidation; however, there might be resistance on the part of some and not others. There is a potential savings and efficiency regarding the consolidation.

Representative Cook offered a compromise that Mayor Caballero sit down with the County Judge.

Mayor Caballero stated that he would be having a meeting with Judge Briones soon and would raise the issue with her.

Representative Cook asked Representative Medina to modify the Motion as: To authorize the Mayor to extend an invitation to the County Judge.

This was not acceptable to Representative Medina. Motion was approved as first shown above.

.....

Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

- A. El Paso Disposal L.P., 01-C-193
- B. Maria Guadalupe Ortiz, 01-C-177
- C. Noe Baeza, 99-3075

Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

.....
 Motion made by Representative Medina, seconded by Representative Cook and carried that claim entitled **EL PASO DISPOSAL L.P. vs. CITY OF EL PASO; Our File No. 01-C-193** be **SETTLED** as recommended by the City Attorney.

Representative Sariñana abstained from the vote.

.....
 Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried to postpone one (1) week the Executive Session item:

Maria Guadalupe Ortiz, 01-C-177

.....
 Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried to delete Executive Session item:

Noe Baeza, 99-3075

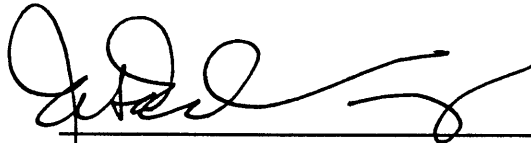
.....
 Motion made by Representative Sariñana, seconded by Representative Cobos and unanimously carried to adjourn this meeting at 12:06 p.m.

APPROVED AS TO CONTENT:

Carole Hunter

Carole Hunter, City Clerk

APPROVED AS TO FORM:



Rita Rodriguez, First Assistant City Attorney

